

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHAMELL FAULKNER,

Plaintiff,

- against -

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

**MEMORANDUM AND ORDER**  
18-CV-2047 (RRM)

Plaintiff Shamell Faulkner, proceeding *pro se*, filed this action on April 5, 2018 pursuant to 28 U.S.C. § 405(g), seeking review of a final decision of the Commissioner of the Social Security Administration (“SSA”). The Court assumes the parties familiarity with this action.

By Memorandum and Order entered on August 20, 2019 on the Commissioner’s motion to dismiss, this Court found that Faulkner’s complaint was untimely. However, as Faulkner did not oppose the motion in any way notwithstanding several opportunities to so do, the Court gave Faulkner until September 12, 2019 to file a letter with the Court explaining why the complaint is timely or why he is entitled to equitable tolling. (Order of 8/20/2019 (Doc. No. 16).) The Court’s Memorandum and Order containing this direction was sent to Faulkner by overnight mail. (Cert. of Service (Doc. No. 17).) To date, Faulkner has not filed any letter, or contacted the Court in any way.

As such, and for the reasons set forth in the Court’s Memorandum and Order of August 20, this action is dismissed. The Clerk of Court is directed to enter judgment accordingly, mail a

copy of this Memorandum and Order to Faulkner, note said mailing on the docket, and close the file.

SO ORDERED.

Dated: Brooklyn, New York  
November 22, 2019

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
United States District Judge